

**CITY OF PORTLAND, MAINE  
DEVELOPMENT REVIEW APPLICATION  
PLANNING DEPARTMENT PROCESSING FORM  
Planning Copy**

2008-0017  
Application I. D. Number  
  
2/22/2008  
Application Date  
  
Townhouses at Eathan Shaw Block  
Project Name/Description

Horton Llc  
Applicant  
100 Commercial St , Portland, ME 04101  
Applicant's Mailing Address

Consultant/Agent  
Applicant Ph: (207) 775-2252 Agent Fax:  
Applicant or Agent Daytime Telephone, Fax

116 - 116 State St, Portland, Maine  
Address of Proposed Site  
045 D005001  
Assessor's Reference: Chart-Block-Lot

Proposed Development (check all that apply):  New Building  Building Addition  Change Of Use  Residential  Office  Retail  
 Manufacturing  Warehouse/Distribution  Parking Lot  Apt 0  Condo 2  Other (specify) \_\_\_\_\_

Proposed Building square Feet or # of Units 5379 Acreage of Site 0 Proposed Total Disturbed Area of the Site 0 Zoning R6

**Check Review Required:**

- Site Plan (major/minor)  Zoning Conditional - PB  Subdivision # of lots \_\_\_\_\_
- Amendment to Plan - Board Review  Zoning Conditional - ZBA  Shoreland  Historic Preservation  DEP Local Certification
- Amendment to Plan - Staff Review  Zoning Variance  Flood Hazard  Site Location
- After the Fact - Major  Stormwater  Traffic Movement  Other \_\_\_\_\_
- After the Fact - Minor  PAD Review  14-403 Streets Review

Fees Paid: Site Plan \$400.00 Subdivision \_\_\_\_\_ Engineer Review \_\_\_\_\_ Date 2/22/2008

**Planning Approval Status:**

Approved  Approved w/Conditions See Attached  Denied

Approval Date \_\_\_\_\_ Approval Expiration \_\_\_\_\_ Extension to \_\_\_\_\_  Additional Sheets Attached

OK to Issue Building Permit \_\_\_\_\_ signature \_\_\_\_\_ date \_\_\_\_\_

Performance Guarantee  Required\*  Not Required

\* No building permit may be issued until a performance guarantee has been submitted as indicated below

<input type="checkbox"/> Performance Guarantee Accepted	_____	_____	_____
	date	amount	expiration date
<input type="checkbox"/> Inspection Fee Paid	_____	_____	
	date	amount	
<input type="checkbox"/> Building Permit Issue	_____		
	date		
<input type="checkbox"/> Performance Guarantee Reduced	_____	_____	_____
	date	remaining balance	signature
<input type="checkbox"/> Temporary Certificate of Occupancy	_____	<input type="checkbox"/> Conditions (See Attached)	_____
	date		expiration date
<input type="checkbox"/> Final Inspection	_____	_____	
	date	signature	
<input type="checkbox"/> Certificate Of Occupancy	_____		
	date		
<input type="checkbox"/> Performance Guarantee Released	_____	_____	
	date	signature	
<input type="checkbox"/> Defect Guarantee Submitted	_____	_____	_____
	submitted date	amount	expiration date
<input type="checkbox"/> Defect Guarantee Released	_____	_____	
	date	signature	



# Site Plan Application

Department of Planning and Development  
Portland Planning Board

Address of Proposed Development: 116 STATE ST Zone: R6

Project Name: TOWNHOUSES AT ETHAN STANW BLOCK

Existing Building Size: 3,480 sq. ft.

Proposed Building Size: 3,880 sq. ft.

Existing Acreage of Site: 5,379 sq. ft.

Proposed Acreage of Site: 5,379 sq. ft.

Tax Assessor's Chart, Block & Lot:

Chart#	Block #	Lot#
<u>45</u>	<u>D</u>	<u>5</u>

Property Owners Mailing address:

HORTON, LLC.  
100 COMMERCIAL ST.  
PORTLAND, ME 04101

Telephone #: 775-2252

Cell Phone #:

Consultant/Agent Contact Name and mailing address, Telephone # and Cell Phone #:

Applicant's Name/Mailing Address:

JACK SOLEY  
100 COMMERCIAL ST.

Telephone #: 775-2252

Cell Phone #:

Fee For Service Deposit (all applications)  (\$200.00)

Proposed Development (check all that apply)

- New Building  Building Addition  Change of Use  Residential  Office  Retail  
 Manufacturing  Warehouse/Distribution  Parking lot  
 Subdivision (\$500.00) + amount of lots \_\_\_\_\_ (\$25.00 per lot) \$ \_\_\_\_\_ + major site plan fee if applicable  
 Site Location of Development (\$3,000.00)  
(except for residential projects which shall be \$200.00 per lot \_\_\_\_\_ )  
 Traffic Movement (\$1,000.00)  Storm water Quality (\$250.00)  
 Section 14-403 Review (\$400.00 + \$25.00 per lot)  
 Other \_\_\_\_\_

Major Development (more than 10,000 sq. ft.)

- Under 50,000 sq. ft. (\$500.00)  
 50,000 - 100,000 sq. ft. (\$1,000.00)  
 Parking Lots over 100 spaces (\$1,000.00)  
 100,000 - 200,000 sq. ft. (\$2,000.00)  
 200,000 - 300,000 sq. ft. (\$3,000.00)  
 Over 300,000 sq. ft. (\$5,000.00)  
 After-the-fact Review (\$1,000.00 + applicable application fee)

~ Please see next page ~

**Minor Site Plan Review**

- Less than 10,000 sq. ft. (\$400.00)
- After-the-fact Review (\$1,000.00 + applicable application fee)

**Plan Amendments**

- Planning Staff Review (\$250.00)
- Planning Board Review (\$500.00)

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**Who billing will be sent to:**

JACK SOLET  
HORTON, LLC  
100 COMMERCIAL ST. 04101

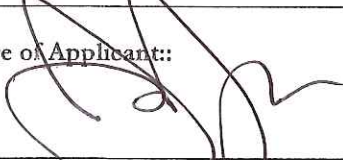
Submittals shall include (7) separate **folded** packets of the following:

- a. copy of application
- b. cover letter stating the nature of the project
- c. site plan containing the information found in the attached sample plans checklist
- d. 1 set of 11x17 plans

Section 14-522 of the Zoning Ordinance outlines the process which is available on our web site: [portlandmaine.gov](http://portlandmaine.gov)

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Code Official's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit

**This application is for site review only; a Building Permit application and associated fees will be required prior to construction.**

Signature of Applicant: 	Date: 2/20/08
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## Development Review Fee Schedule (effective July 15, 2005)

• Fee for Service Deposit (all applications)	\$200.00
Planning Services	\$30.00/hour
Legal Services	\$40.00/hour
• Major Site Plan Review (more than 10,000 sq. ft.)	
Under 50,000 sq. ft.	\$500.00
50,000 - 100,000 sq. ft.	\$1,000.00
Parking Lots over 100 spaces	\$1,000.00
100,000 - 200,000 sq. ft.	\$2,000.00
200,000 - 300,000 sq. ft.	\$3,000.00
Over 300,000 sq. ft.	\$5,000.00
• After-the-fact Major Site Plan Review	\$1,000.00 + applicable application fee
• Minor Site Plan Review (less than 10,000 sq. ft.)	\$400.00 (or up to 20,000 in an Industrial zone)
• After-the-fact Minor Site Plan Review	\$1,000.00 + applicable application fee
• Minor-Minor Site Plan Review (Single Families)	\$300.00
• Amendment to Plans	
Planning Board Review	\$500.00
Planning Staff Review	\$250.00
• Subdivision Fee	\$500.00 + \$25.00 per lot
• Section 14-403 Review	\$400.00 + \$25.00 per lot
• Site Location of Development (except for residential projects which shall be \$200.00 per lot)	\$3,000.00
• Traffic Movement Permit	\$1,000.00
• Storm water Quality Permit	\$250.00
• Street Vacation	\$2,000.00

### Engineering Fees

- Engineer Review Fee - This fee is assessed by the Engineer
- Inspection Fee - This fee is 2% of the Performance Guarantee or as assessed by Planning or Public Works Engineer with \$300.00 being the minimum.

### Zone Change

• Zoning Map Amendments	\$2,000.00
• Text Amendments	\$2,000.00
• Contract/Conditional Rezonings	
Under 5,000 sq. ft.	\$1,000.00
5,000 sq. ft. and over	\$3,000.00
• Conditional Use	\$100.00

### Historic Preservation

• Administrative Review	\$50.00
• Minor Projects - Committee Review	\$100.00
• Major Projects - Committee Review	\$500.00
• After-the-fact Review	\$750.00
• HP Special Exception Sign Review	\$35.00

### Noticing/Advertisements for Historic Preservation and Planning Board Review

- Legal Advertisement: Percent of total bill  
(Legal Ads are placed in the newspaper for workshop and public hearing meetings)
- Notices: .55 cents each  
(Notices are sent to abutters when the application is received in the Planning Division, workshop meeting and public hearing meeting)



# City of Portland, Maine Site Plan Checklist

Project Name, Address of Project

Application Number

Submitted () & Date (b,c)	Item	Required Information	Section 14-525
_____	(1)	Standard boundary survey (stamped by a registered surveyor, at a scale of not less than 1 inch to 100 feet and including:	1
_____	(2)	Name and address of applicant and name of proposed development	a
_____	(3)	Scale and north points	b
_____	(4)	Boundaries of the site	c
_____	(5)	Total land area of site	d
_____	(6)	Topography - existing and proposed (2 feet intervals or less)	e
_____	(7)	Plans based on the boundary survey including:	2
_____	(8)	Existing soil conditions	a
_____	(9)	Location of water courses, marshes, rock outcroppings and wooded areas	b
_____	(10)	Location, ground floor area and grade elevations of building and other structures existing and proposed, elevation drawings of exterior facades, and materials to be used	c
_____	(11)	Approx location of buildings or other structures on parcels abutting the site	d
_____	(12)	Location of on-site waste receptacles	e
_____	(13)	Public utilities	e
_____	(14)	Water and sewer mains	e
_____	(15)	Culverts, drains, existing and proposed, showing size and directions of flows	e
_____	(16)	Location and dimensions, and ownership of easements, public or private rights-of-way, both existing and proposed	f
_____	(17)	Location and dimensions of on-site pedestrian and vehicular access ways	g
_____	(18)	Parking areas	g
_____	(19)	Loading facilities	g
_____	(20)	Design of ingress and egress of vehicles to and from the site onto public streets	g
_____	(21)	Curb and sidewalks	g
_____	(22)	Landscape plan showing:	h
_____	(23)	Location of existing proposed vegetation	h
_____	(24)	Type of vegetation	h
_____	(25)	Quantity of plantings	h
_____	(26)	Size of proposed landscaping	h
_____	(27)	Existing areas to be preserved	h
_____	(28)	Preservation measures to be employed	h
_____	(29)	Details of planting and preservation specifications	h
_____	(30)	Location and dimensions of all fencing and screening	i
_____	(31)	Location and intensity of outdoor lighting system	j
_____	(32)	Location of fire hydrants, existing and proposed	k
_____	(33)	Written statement	c
_____	(34)	Description of proposed uses to be located on site	1
_____	(35)	Quantity and type of residential, if any	1
_____	(36)	Total land area of the site	b2
_____	(37)	Total floor area and ground coverage of each proposed building and structure	b2
_____	(38)	General summary of existing and proposed easements or other burdens	c3
_____	(39)	Method of handling solid waste disposal	4
_____	(40)	Applicant's evaluation of availability of off-site public facilities, including sewer, water and streets	5
_____	(41)	Description of any problems of drainage or topography, or a representation that there are none	6
_____	(42)	An estimate of the time period required for completion of the development	7
_____	(43)	A list of all state and federal regulatory approvals to which the development may be subject to	8

_____	(44)	The status of any pending applications	8
_____	(45)	Anticipated timeframe for obtaining such permits	h8
_____	(46)	A letter of non jurisdiction	h8
_____	(47)	Evidence of financial and technical capability to undertake and complete the development including a letter from a responsible financial institution stating that is has reviewed the planned development and would seriously consider financing it when approved.	

Note: Depending on the size and scope of the proposed development, the Planning Board or Planning Authority may request additional information, including (but not limited to):

- |  |   |
|--|---|
| - drainage patterns and facilities;                                  | - an environmental impact study;                |
| - erosion and sedimentation controls to be used during construction; | - a sun shadow study;                           |
| - a parking and/or traffic study;                                    | - a study of particulates and any other noxious |
| emissions; and   | - a noise study;                                |
| - a wind impact analysis.  |   |

Other comments:

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## PORTLAND FIRE DEPARTMENT SITE REVIEW FIRE DEPARTMENT CHECKLIST

A separate drawing[s] shall be provided to the Portland Fire Department for all site plan reviews.

1. Name, address, telephone number of applicant.
2. Name address, telephone number of architect
3. Proposed uses of any structures [NFPA and IBC classification]
4. Square footage of all structures [total and per story]
5. Elevation of all structures
6. Proposed fire protection of all structures
7. Hydrant locations
8. Water main[s] size and location
9. Access to any fire department connections
10. Access to all structures [min. 2 sides]
11. A code summary shall be included referencing NFPA 1 and all fire department. Technical standards.
12. Elevators shall be sized to fit an 81" x 23" stretcher and two personnel.

Some structures may require Fire flows using annex H of NFPA 1



# PORTLAND MAINE

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## To all Development Applicants and Consultants:

On July 15, 2005, the Planning Division will implement a **fee-for-service** for City planners and City attorneys involved in development review and zoning amendments. This change was instituted by the City Council as part of the budget process for the upcoming year to ensure that the full cost of development review services is borne by the applicant proposing the development.

We will institute this change for all new and pending projects as of July 15, 2005, for review time expended after that date. For all developments there will be no additional charge for the first four hours of review processing time. We will collect a deposit of \$200.00 at the time of development review and zoning amendment application. Should the planner or attorney combined spend over four hours on the review of a project, the deposit will be drawn down to cover that cost. When the \$200.00 deposit has been expended, the applicant will receive a monthly invoice for reimbursement of review services rendered.

These charges will be billed at an hourly rate based on actual review costs to the City. At present the billing rate for planning services is \$30.00 per hour, and the rate for legal services is \$40.00. These rates and the deposit amount are subject to change on an annual or as-needed basis to reflect then-current cost structures.

As we strive to provide efficient and timely review services, it is necessary to provide a funding mechanism that does not unduly burden the property taxpayer. Nationally, more municipal services are being converted to a user fee basis. We commit to doing our best to provide efficiency in the process in order to keep the costs reasonable, and we will work with you to make the most efficient use of the billable time. (As we implement this fee system, we will be available to describe any invoiced charges.)

As always, we will strive continually to improve the quality of our customer services to the development community.

If you have any questions, please do not hesitate to call us at 874-8699.

Sincerely,

Barbara Barhydt  
Development Review Services Manager

Alexander Jaegerman  
Planning Division Director





# PORTLAND MAINE

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## To All Development Applicants and Consultants:

The City of Portland has instituted the following fees to recover the costs of reviewing development proposals under the Site Plan and Subdivision ordinances: application fee; engineering fee; and inspection fee. Performance and defect guarantees are also required by ordinance to cover all site work proposed.

The **Application Fee** covers general administrative processing costs, and is paid at the time of application.

A **Fee for Service Deposit** of \$200.00 is paid at the time of application for all development and zoning proposals. Should the planner or attorney combined spend over four hours on the review of a project, the deposit will be drawn down to cover that cost. When the \$200.00 deposit has been expended, the applicant will receive a monthly invoice for reimbursement of review services rendered. (please see attached letter for more detail)

The Planning Division is required to send notices to neighbors upon receipt of an application and prior to public meetings. The applicant will be billed for mailing and advertisement costs. Applicants for development will be charged an **Engineering Review Fee**. This fee is charged by the Planning Division for review of on-site improvements of a civil engineering nature, such as storm water management as well as the engineering analysis of related improvements within the public right-of-way, such as public streets and utility connections, as assessed by the Department of Public Works. The Engineering Review fee must be paid before a building permit can be issued. Monthly invoices are sent out by the Planning Division on a monthly basis to cover engineering costs.

A **Performance Guarantee** will be required following approval of development plans. This guarantee covers all required improvements within the public right-of-way, plus certain site improvements such as landscaping, paving, and drainage improvements. The Planning Division will provide a cost estimate form for figuring the amount of the performance guarantee, as well as sample form letters to be filled out by a financial institution.

An **Inspection Fee** must also be submitted to cover inspections to ensure that sites are developed in accordance with the approved plan. The inspection fee is 2.0% of the performance guarantee amount, or as assessed by the planning or public works engineer. The minimum inspection fee is \$300 for development, unless no site improvements are proposed. Public Works inspects work within the City right-of-way and Planning inspects work within the site including pipe-laying and connections. (The contractor must work with inspectors to coordinate timely inspections, and should provide adequate notice before inspections, especially in the case of final inspection.)

Upon completion of a development project, the performance guarantee is released, and a Defect Guarantee in the amount of 10% of the performance guarantee must be provided. The Defect Guarantee will be released after a year.

Other reimbursements to the City include actual or apportioned costs for advertising and mailed notices. All fees shall be paid prior to the issuance of any building permit. For more information on the fees or review process, please call the Planning Division at 874-8719 or 874-8721.

Alexander Jaegerman, AICP, Planning Division Director



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## Notice to Developers of New Subdivisions

Effective January 1, 1998, the City of Portland requests that developers of new subdivisions submit information regarding the origin of the name of any new street(s) created within the City limits. This information shall be submitted to the Planning Division with all other related application materials.

In 1997, Portland residents, Norman and Althea Green, presented the City of Portland with a compilation of research, which documents the origins of all street names existing in the City as of 1995. The person, event, location, or subject for which each street was named is now recorded for posterity, constituting an important public record for all those interested in the development of Portland. This compilation is on file at the Portland Public Library, the Maine Historical Society, and the library of the Portland Newspapers, as well as in the City Clerk's Office at Portland City Hall.

It is the intent of the City of Portland to continue this documentation for all streets created in the City. As part of the subdivision review process, applicants are required to submit information regarding the person or subject for which all new streets are being named. In the case of a person, the full name should be submitted, as well as their vocation, relationship to the developer or the area, or other pertinent information. Once the street is formally accepted by the City Council, the information will be placed on file at the City Clerk's office and copies will be sent to the other three Portland repositories.

## Street Numbering Assignments

The assignment of official street addresses is the sole responsibility of the Department of Public Works. These assignments proceed by a set of guidelines and are done from submitted site plans whenever possible. For Enhanced 9-1-1 purposes, they need to be as accurate as possible and depending on size and site layout, the creation of new street names may be required. Despite addresses listed on such things as the check sheet for site plan approval, building inspection documents or tax maps, it is requested you contact the Department of Public Works for your official address(es). Please call Jessica Hanscom, Associate Engineer at (207) 874-8849.



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## A Guide to Holding Neighborhood Meetings

In order to improve communication between development applicants and neighbors, the City of Portland requires such applicants to hold a neighborhood meeting.

### **What type of development proposal requires a neighborhood meeting?**

Neighborhood meetings, organized and hosted by the applicant, are required for the following development proposals:

- proposed zone changes, contract zones and zoning text amendments;
- subdivisions of five or more units or lots; and
- major site plan proposals.

### **Who must be invited to a neighborhood meeting?**

Property owners within 500 feet of the proposed development (1000 feet for proposed industrial development), as well as those people on a list of interested citizens and neighborhood groups, must be invited to the planned neighborhood meeting.

Upon request, the Planning Division will provide to the applicant mailing labels for the neighborhood meeting invitation. We require at least 48 hours prior notice to generate the mailing labels. A charge of \$1.00 per sheet of labels will be payable upon receipt of the labels.

### **When and where must the neighborhood meeting be held?**

The neighborhood meeting must be held after the first Planning Board workshop but not less than seven days prior to the Planning Board public hearing.

The meeting should be held in the evening, during the week, at a location in the neighborhood. Neighborhood schools are usually available for evening meetings.

Meetings should not be held on the same day as scheduled Planning Board or City Council meetings.

### **When must invitations be sent out?**

In order to provide sufficient notice to residents, invitations must be sent out no less than seven days prior to the neighborhood meeting.

### **What information should the invitation include?**

A recommended invitation format is included in this packet of material.

### **Neighborhood Meeting Handouts**

Included with this packet of material is a handout sheet from the Planning Division that must be handed out to meeting attendees. This handout explains the requirement for the meeting and additional information on the review process.

## **Sign-up Sheets and Meeting Minutes**

At the meeting, the applicant must circulate a sign-up sheet for those in attendance. The applicant must also keep accurate minutes of the meeting.

After holding the neighborhood meeting, the applicant must submit the sign-up sheet and meeting minutes to the Planning Division. The meeting minutes and sign-up sheet will be attached to the Planning Board report. A public hearing will not be scheduled until the meeting minutes and sign-up sheet are submitted to the Planning Division.

## **Certification**

Included with this packet is a Certification to be completed and signed by the applicant. The applicant is required to certify when the invitations were sent out.

**Please call the Planning Division (874-8699) if you have any questions.**

## Attachments

1. Neighborhood Meeting Invitation Format
2. Handout to Attendees from the Planning Division
3. Neighborhood Meeting Certification

\*\* Applicant/Consultant: Please include all of the information listed below in the notice sent to neighbors)

## Neighborhood Meeting Invitation Format

Applicant/Consultant  
Letterhead

(Date)

Dear Neighbor:

Please join us for a neighborhood meeting to discuss our plans for a (development proposal) located at (location/street address).

Meeting Location: \_\_\_\_\_

Meeting Date: \_\_\_\_\_

Meeting Time: \_\_\_\_\_

The City code requires that property owners within 500 feet of the proposed development and residents on an "interested parties list" be invited to participate in a neighborhood meeting. A sign-in sheet will be circulated and minutes of the meeting will be taken. Both the sign-in sheet and minutes will be submitted to the Planning Board.

If you have any questions, please call (telephone number of applicant or consultant).

Sincerely,

(Applicant)

Note:

Under Section 14-32(C) of the City Code of Ordinances, an applicant for a major development, subdivision of over five lots/units, or zone change is required to hold a neighborhood meeting at least seven days prior to the Planning Board public hearing on the proposal.



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Dear Neighbor:

Thank you for attending this evening's neighborhood meeting.

Applicants for major developments, zone changes, and subdivisions of more than five units/lots are required to hold a neighborhood meeting prior to the Planning Board's public hearing on the development proposal.

The purpose of these meetings is to improve communication between neighbors and applicants for development. We have found that neighbors raise questions and offer insight that often improves the design or compatibility of a proposed development.

The City code requires that property owners within 500 feet of the proposed development and residents on an "interested parties list" be invited to participate in a neighborhood meeting. A sign-in sheet will be circulated and minutes of the meeting will be taken. Both the sign-in sheet and minutes will be submitted to the Planning Board.

Should you wish to offer additional comments on this proposed development, you may send correspondence to:

Planning Division  
Department of Planning and Development  
City Hall  
389 Congress Street  
Portland, ME 04101;

Or email:  
[bab@portlandmaine.gov](mailto:bab@portlandmaine.gov);

Or call 874-8699.

Thank you for taking the time to attend tonight's meeting.

Sincerely,

Barbara Barhydt  
Development Review Services Manager

# Neighborhood Meeting Certification

I, (applicant/consultant) hereby certify that a neighborhood meeting was held on (date) at (location) at (time).

I also certify that on (date at least seven days prior to the neighborhood meeting), invitations were mailed to all addresses on the mailing list provided by the Planning Division, including property owners within 500 feet of the proposed development and the residents on the "interested parties" list

Signed,

\_\_\_\_\_

\_\_\_\_\_ (date)

Attached to this certification are

1. Copy of the invitation sent
2. Sign-in sheet
3. Meeting minutes